

Rec'd PCT/PTO 14 JUL 1995

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING NATIONAL PHASE OF  
PCT APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495

To: The Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

(Our Deposit Account No. 03-3975  
(Our Order No. 4704 / 218100  
C# / M#

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Atty. Dkt. 218100 / RY/JKM/551  
M# / Client Ref.

From: Cushman Darby & Cushman

Date: JULY 14, 1995

This is a **REQUEST** for **FILING** a PCT/USA National Phase Application based on:

- |  |  |  |
|--|--|--|
| 1. International Application<br><u>PCT/DK94 /00011</u><br>↑ country code | 2. International Filing Date<br><u>07 JAN 1994</u><br>Day MONTH Year | 3. Earliest Priority Date Claimed<br><u>15 JAN 1993</u><br>Day MONTH Year<br>(use item 2 if no earlier priority) |
|--|--|--|
4. Measured from the earliest priority date in item 3, this PCT/USA National Phase Application Request is being filed within:
- (a) ☐ 20 months from above item 3 date    (b) ☒ 30 months from above item 3 date,
- (c) Therefore, the due date (unextendable) is JULY 15, 1995.
5. Title of Invention NEW CRYSTALLINE FORM OF A VITAMIN D ANALOGUE
6. Inventor(s) HANSEN, Erik Torngaard et al

Applicant herewith submits the following under 35 U.S.C. 371 to effect filing:

7. ☒ Please immediately start national examination procedures (35 U.S.C. 371(f)).
8. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is transmitted herewith (file if in English but, if in foreign language, file only if not transmitted to PTO by the International Bureau) including:
- a. ☐ Request;
- b. ☐ Abstract;
- c.        pgs. Spec. and Claims;
- d.        sheet(s) Drawing which are ☐ informal ☐ formal of size ☐ A4 ☐ 13" ☐ 14"
9. ☒ A copy of the International Application has been transmitted by the International Bureau.
10. A translation of the International Application into English (35 U.S.C. 371(c)(2))
- a. ☒ is transmitted herewith including: (1) ☐ Request; (2) ☒ Abstract;
- (3) 6 pgs. Spec. and Claims;
- (4)        sheet(s) Drawing which are:
- ☐ informal ☐ formal of size ☐ A4 ☐ 13" ☐ 14"
- b. ☐ is not required, as the application was filed in English.
- c. ☐ is not herewith, but will be filed when required by the forthcoming PTO Missing Requirements Notice per Rule 494(c) if box 4(a) is X'd or Rule 495(c) if box 4(b) is X'd.
- d. ☐ Translation verification attached (not required now).

11. ☐ Amendments to the claim of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)), i.e., before 18th month from first priority date above in Item 3, are transmitted herewith (file if in English but, if in foreign language, file only if not transmitted by the International Bureau) including:
12. ☒ PCT Article 19 claim amendments (if any) have been transmitted by the International Bureau.
13. ☐ Translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)), i.e., of claim amendments made before 18th month, is attached (required by 20th month from the date in Item 3 if box 4(a) above is X'd, or 30th month if box 4(b) is X'd, or else amendments will be considered cancelled).
14. **A declaration of the inventor** (35 U.S.C. 371(c)(4))
- a. ☒ is submitted herewith ☒ Original ☐ Facsimile/Copy
- b. ☐ is not herewith, but will be filed when required by the forthcoming PTO Missing Requirements Notice per Rule 494(c) if box 4(a) is X'd or Rule 495(c) if box 4(b) is X'd.
15. **An International Search Report (ISR):**
- a. Was prepared by ☒ European Patent Office ☐ Japanese Patent Office ☐ Other
- b. ☒ has been transmitted by the International Bureau to PTO.
- c. ☒ copy herewith ( 2 pg(s).) ☒ plus Annex of family members ( 1 pg(s).).
16. **International Preliminary Examination Report (IPER):**
- a. ☒ has been transmitted (if this letter is filed after 28 months from date in item 3) in English by the International Bureau with Annexes (if any) in original language.
- b. ☒ copy herewith in English
- c.1 ☐ IPER Annex(es) in original language ("Annexes" are amendments made to claims/spec/drawings during Examination) including attached amended:
- c.2 ☐ Specification/claim pages # \_\_\_\_\_ ☐ Drawing Sheets # \_\_\_\_\_
- c.3 ☐ Which resulted in cancellation of pages # \_\_\_\_\_ Dwg Sheets # \_\_\_\_\_
- d. ☐ Translation of Annex(es) to IPER (required by 30th month due date, or else annexed amendments will be considered cancelled).
17. **Information Disclosure Statement** including:
- a. ☒ Attached Form PTO-1449 listing documents
- b. ☒ Attached copies of documents listed on Form PTO-1449
- c. ☒ A concise explanation of relevance of ISR references is given in the ISR.
18. ☒ **Assignment** document and Cover Sheet for recording are attached. Please mail the recorded assignment document back to the person whose signature, name and address appear at the end of this letter.
19. ☐ Copy of Power to IA agent.
20. ☐ **Drawings:** \_\_\_\_\_ sheet(s) per set: ☐ 1 set informal; ☐ Formal of size ☐ A4 ☐ 13" ☐ 14"
21. ☐ \_\_\_\_\_ (No.) **Verified Statement(s)** establishing "small entity" status under Rules 9 & 27
22. **Priority** is hereby claimed under 35 U.S.C. 119/365 based on the priority claim and the certified copy, both filed in the International Application during the international stage based on the filing in (country) GREAT BRITAIN of:
- | <u>Application No.</u> | <u>Filing Date</u> | <u>Application No.</u> | <u>Filing Date</u> |
|------------------------|--------------------|------------------------|--------------------|
| (1) <u>9300763.1</u>   | <u>15 JAN 1993</u> | (4) _____              | _____              |
| (2) _____              | _____              | (5) _____              | _____              |
| (3) _____              | _____              | (6) _____              | _____              |
- a. ☒ See Form PCT/IB/304 sent to US/DO with copy of priority documents
- b. ☐ Copy of Form PCT/IB/304 attached.

**24. Preliminary Amendment:**

**CDC-112 2/95**